

CITY OF ALAMO HEIGHTS
CITY COUNCIL
May 12, 2008

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, May 12, 2008.

Present and composing a quorum were:

Mayor Louis Cooper
Mayor Pro-Tempore Bobby Rosenthal
Councilman Stan McCormick
Councilwoman Jill Souter
Councilman Bill Kiel
Councilwoman Susan Harwell

Also attending were:

City Manager Rebecca Waldman
City Attorney Mike Brenan
Assistant to City Manager/Information Technology Manager Marian Ramirez
Finance Director Cynthia Barr
Human Resource Manager/Deputy City Secretary Judith E. Surratt
City Secretary Denise M. Silva
Public Works Director Shawn P. Eddy
Police Chief Rick Pruitt
Interim Fire Chief/EMS Administrator Bill Woodward
Temporary Assistant Leticia Callanen

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Mayor Louis Cooper called the meeting to order at 5:33 p.m.

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Councilman Bobby Rosenthal recognized several members from local Boy Scout Troop 809 who were present in the audience as part of their requirement to achieve their Citizenship and Community badge.

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Mayor Cooper asked City Council for any corrections to the minutes of the April 28, 2008, City Council Meeting. A motion was made by Councilwoman Susan Harwell to approve the minutes of the April 28, 2008 minutes as submitted. Motion was seconded by Councilman Bill Kiel and passed by unanimous vote.

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City Manager's Report

City Manager Rebecca Waldman noted that City Council would be meeting on Monday, May 19th due to the Memorial Day holiday that falls on the fourth Monday of this month. The City will be hosting facility tours beginning at the Council Chambers at 4 p.m., followed by a reception prior to the 5:30 City Council meeting in honor of the unopposed Council Members.

City Manager Rebecca Waldman provided an update regarding the Comprehensive Plan and discussed its development, which will be managed internally by a newly created Director of Community Development position, which has been created by utilizing an existing vacant public works position. Ms. Waldman stated that this approach, as opposed to hiring an outside consultant, would allow the City to build internal capacity to implement the plan once developed, as well as provide for focused management of Community Development functions.

Ms. Waldman explained that concurrent with reviewing this approach, the City became aware of the opportunity to hire a very experienced local professional to fill this new position and announced that Ann Benson McGlone will be joining the City of Alamo Heights in this capacity effective June 9, 2008. Ms. Waldman discussed Ms. McGlone's credentials and stated that she will report to the City Manager and oversee all functions of the new Community Development Department, which includes plan review, inspections, code compliance, staffing of the Planning & Zoning Commission, Board of Adjustments, and the Architectural Review Board. Ms. Waldman outlined the preliminary schedule for the development of the plan to begin this summer, with public stakeholder meetings to be conducted in the fall, and final consideration and adoption by the City Council in late spring or early summer of 2009. A copy of this presentation is made part of the papers of this meeting.

Mayor Cooper expressed his support about having the opportunity to have Ms. McGlone join the City of Alamo Heights staff.

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Citizens To Be Heard Concerning Non-Agenda Items

Ms. Margaret Spencer, 140 Patterson Avenue, asked if staff would be providing public hearings to discuss the process for funding the future facility renovations. In response, Mayor Cooper stated that while the financing method has not been determined, there would be public meetings on the matter.

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Staff Reports –There were none.

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Consent Items

Mayor Cooper read the following captions:

Item #3 Request for permission for refund of duplicate or erroneous property tax payment to VCH Funding Corp., owner of property at 211 E. Edgewood Place, in the amount \$546.44.

Item #4 **ORDINANCE NO. 1767**

AN ORDINANCE AUTHORIZING A ONE-YEAR LEASE CONTRACT WITH THE ALAMO HEIGHTS OPTIMIST CLUB FOR PARTS OF LOTS 1, 35, 36 AND 37 IN BLOCK 70, MONTCLAIR ADDITION, ALAMO HEIGHTS, TEXAS; PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH THE LAND MAY BE USED; PROVIDING FOR AN INDEMNITY INURING TO THE BENEFIT OF THE CITY; AND PROVIDING FOR TERMINATION BY EITHER PARTY UPON GIVING OF THIRTY (30) DAYS WRITTEN NOTICE.

Item #5 Request by the Alamo Heights Chamber of Commerce for the closure of portions of Broadway from E. Fair Oaks Dr. to Cleveland Ct. (Barilla Place) beginning at 5:30 p.m. on November 22, 2008 for the 32nd annual Holiday Parade

A motion was made by Councilwoman Jill Souter to approve the consent agenda items. Motion was seconded by Councilman Stan McCormick and passed by unanimous vote.

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Items for Individual Consideration.

Mayor Cooper read the following caption:

Item #6 Consideration of a final landscape plan related to Architectural Review Board Case No. 293 for 107 Eaton Street, a property zoned Multi-Family D, request submitted by Joseph Koizen, represented by Peter DeWitt, Architect.

Mr. Shawn Eddy, Public Works Director, provided the background to Case No. 293 noting that this issue was a holdover item from the item that had been previously approved on April 14, 2008. Mr. Eddy explained that the landscape plan for the rear of the property has since been modified and approved by the ARB and ARB and staff recommends approval. A copy of this presentation is made part of the papers of this meeting.

Councilwoman Harwell asked about the material to be used for the driveway portion of the project, being that it was proposed to be LEED certified.

In response, Ms. Morgan Penix, representing the project architect, stated that not all of the materials have been selected, however, the driveway material would be a pervious material.

A motion was made by Councilman Bobby Rosenthal to approve the landscape plan. Motion was seconded by Councilwoman Jill Souter and passed by unanimous vote.

Mayor Cooper read the caption to the following ordinance:

Item #7

ORDINANCE NO. 1768

AN ORDINANCE AWARDED A CONTRACT FOR THE RECONSTRUCTION AND IMPROVEMENT OF EAST CASTANO AVENUE BETWEEN VANDERHOVEN DRIVE AND NORTH NEW BRAUNFELS AVENUE TO KIMBERLY ALEXANDER D/B/A/ ALAMO CITY CONSTRUCTORS AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE CONTRACT.

Shawn P. Eddy, Public Works Director, provided a presentation discussing the background of the project, the competitive bid process and selection process for a contractor to complete the reconstruction and improvement project, which is the first of several capital projects as part of the City's 2007-09 Capital Improvement Program (CIP). A copy of this presentation is made part of the papers of this meeting.

Mr. Eddy stated that the winning bid came in lower than budgeted and will include concrete streets instead of the more traditional asphalt street application. Mr. Eddy further provided information related to the utilization of \$69,088 of Community Infrastructure and Economic Development (CIED) Funds from CPS Energy to fund the installation of thirteen (13) decorative street lights along the new sidewalk on the north side of E. Castano Avenue.

Mr. Eddy stated that while this project is in response to traffic issues around the high school, staff is preparing to conduct a traffic study update to determine the appropriate number of lanes that should be striped upon completion of construction in order to address resident concerns related to the number of lanes on E. Castano Avenue.

In reply to Councilman McCormick, Mr. Eddy clarified that residents raised a concern regarding the possibility that the addition of two lanes may contribute to increased speeds by motorists. Council discussion took place regarding the scope of the traffic study and Mr. Eddy confirmed that the results of the study would provide the necessary recommendation for how the lanes would be striped and would not affect the width of the reconstructed street.

Further Council discussion took place regarding the proposed residential streetlights with regard to placement, dimensions, luminance, and other aesthetic considerations by staff in order to address potential concerns by residents.

Councilman McCormick questioned whether consultation is needed to determine the appropriate number streetlights for this project and if the design is in keeping with the character of the neighborhood, and expressed his concern with potential light pollution. Mr. Eddy stated that he met with residential light experts from CPS Energy as part of the design process.

In response to a question by Councilwoman Souter, Mr. Eddy provided the dimensions of the streetlight and stated that there is only one style of light from which to select if the City utilizes the CIED funds.

Councilwoman Harwell suggested that because of the time sensitivity associated with this project, that staff should contact the high school to see if some of the work can be started earlier than the last day of school since the last two weeks of school is typically used to conduct limited school activity.

Mr. Eddy continued his presentation and provided the fiscal impact of the project and discussed a planned change order that would allow for the replacement of the entire sewer main under this section of the street and would relocate it to the edge of the right of way.

Council discussion took place regarding the lower bid pricing for concrete versus asphalt and the difference in pavement conditions in inclement weather. Mr. Eddy explained that the lower cost of concrete is due to the escalating prices of petroleum-based materials, and stated that the pricing was verified with Alamo City Contractors by Sunbelt Engineering and the bid was reviewed by Freese & Nichols.

In response to Council questions regarding risk associated with the contract, Mike Brenan, City Attorney, stated that as long as the company has a performance bond the City is not at risk.

After further Council discussion, a motion was made by Councilwoman Harwell to approve the ordinance as presented. Motion was seconded by Councilwoman Souter and passed by unanimous vote.

Mayor Cooper read the caption to the following ordinance:

Item #8

ORDINANCE NO. 1769

AN ORDINANCE AMENDING CHAPTER 15 SIGN REGULATIONS ARTICLE II SECTION 15-39 PROHIBITED SIGNS, BY PROHIBITING CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS IN THE CITY.

Shawn P. Eddy, Public Works Director, discussed the background for this item which would clarify the existing section of the Code of Ordinances that currently prohibits flashing and moving signs, by prohibiting light emitting diode (LED) billboards defined as follows:

"After May 12, 2008, no Changeable Electronic Variable Message Signs (commonly referred to as CEVMS signs) shall be installed in the city. Changeable Electronic Variable Message Sign for the purpose of this chapter shall mean a sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a LED (light emitting diode) or digital sign, and which varies in intensity or color. A Changeable Electronic Variable Message Sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard."

Mr. Eddy stated that this is being recommended to keep pace with technology and to maintain safety and aesthetic quality of the City of Alamo Heights.

Councilman McCormick expressed his support of staff's efforts to maintain the intent of the sign ordinance as it relates to low rise, moderate signage.

In response to a question by Councilman Rosenthal, Mr. Eddy stated that he understands that there is currently a digital sign that would not be approved under this new ordinance but was approved previously for St. Luke's Church. Councilmembers McCormick and Souter recounted the process by which the sign was approved by the ARB and explained that the reason it was approved is that it was out of sight on their private driveway.

After further discussion, a motion was made by Councilwoman Souter to approve the ordinance as presented. Motion was seconded by Councilman McCormick and passed by unanimous vote.

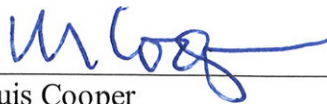
Councilwoman Harwell requested information regarding regulations on signage size and heights. Mr. Eddy discussed the regulations currently within the City Code that limits all signage height to sixteen (16) feet and ARB's authority to consider exceptions to this regulation.

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A motion was made by Councilman Kiel to adjourn the meeting. Motion was seconded by Councilman McCormick and passed by unanimous vote. Mayor Cooper adjourned the meeting at 6:26 p.m.



Louis Cooper
Mayor



Judith E. Surratt
Deputy City Secretary